

ORIGINAL

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FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

MAR 04 2013
at 9 o'clock and 47 min. AM
SUE BEITIA, CLERK

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

MELVIN KEAKAKU AMINA AND DONNA
MAE AMINA, HUSBAND AND WIFE,

Plaintiffs,

vs.

THE BANK OF NEW YORK MELLON, FKA
THE BANK OF NEW YORK;

U.S. BANK NATIONAL ASSOCIATION, AS
TRUSTEE FOR J.P. MORGAN MORTGAGE
ACQUISITION TRUST 2006-WMC2, ASSET
BACKED PASS-THROUGH CERTIFICATES,
SERIES 2006-WMC2,

Defendants.

Case No. CV 10-00714 JMS BMK

**PLAINTIFFS' VERIFIED MOTION FOR LEAVE TO FILE OUT OF TIME REPLY TO
[78] DEFENDANT THE BANK OF NEW YORK MELLON, FKA THE BANK OF NEW
YORK AND U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR J.P. MORGAN
MORTGAGE ACQUISITION TRUST 2006-WMC2, ASSET BACKED PASS-THROUGH
CERTIFICATES, SERIES 2006-WMC2'S MEMORANDUM IN OPPOSITION TO [#76]
PLAINTIFFS' VERIFIED MOTION FOR EXTENSION OF TIME TO FILE
OPPOSITION TO [#67] BANK OF NEW YORK MELLON AND U.S. BANK NATIONAL
ASSOCIATION'S MOTION FOR SUMMARY JUDGMENT**

Certification

PLAINTIFFS' VERIFIED MOTION TO FILE OUT OF TIME REPLY TO [78]

We, the undersigned Plaintiffs, certify that we have conferred or attempted to confer with Mr. Jeffrey K. Sia, counsel for the Defendants with the following results:

☐ Will oppose ☐ Will not oppose ☐ Did not return calls

Did phone Mr. Sia this morning. His response was inconclusive. He felt that the court had already ruled on Plaintiffs' Motion for More Time, but did not state whether he would oppose or not.

Motion

Plaintiffs move to file out of time a reply to [78] DEFENDANT THE BANK OF NEW YORK MELLON, FKA THE BANK OF NEW YORK AND U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR J.P. MORGAN MORTGAGE ACQUISITION TRUST 2006-WMC2, ASSET BACKED PASS-THROUGH CERTIFICATES, SERIES 2006-WMC2's MEMORANDUM IN OPPOSITION TO [#76] PLAINTIFFS' VERIFIED MOTION FOR EXTENSION OF TIME TO FILE OPPOSITION TO [#67] BANK OF NEW YORK MELLON AND U.S. BANK NATIONAL ASSOCIATION'S MOTION FOR SUMMARY JUDGMENT ("Opposition").

Our reply was due eleven days after the 2/19/2013 filing of [78] Opposition, or March 2, 2010. LR 7.4. Plaintiffs request leave to file a brief one business day out of time, on Monday, 3/4/2013.

Plaintiffs have been busy working on their Response to Motion for Summary Judgment, which was due February 28, 2013, one day before this Reply was due. Plaintiffs have also been occupied with the press of other business.

This motion is made in good faith for good cause and not for any dilatory purpose.

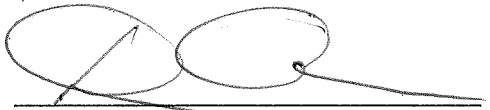
PLAINTIFFS' VERIFIED MOTION TO FILE OUT OF TIME REPLY TO [78]

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We declare under penalty of perjury that the foregoing is true and correct.

Executed on: 3 / 4 / 2013



Donna Amina, Plaintiff *pro se*
2304 Metcalf Street
Honolulu, HI 96822



Melvin Amina, Plaintiff *pro se*
2304 Metcalf Street
Honolulu, HI 96822

CERTIFICATE OF SERVICE

On the date last written below, I served a true copy of the foregoing document upon the following parties in this action by First Class U. S. mail postage prepaid and/or hand delivery in open court:

Defendants

THE BANK OF NEW YORK MELLON, FKA THE BANK OF NEW YORK;
U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR J.P. MORGAN
MORTGAGE ACQUISITION TRUST 2006-WMC2, ASSET BACKED PASS-
THROUGH CERTIFICATES, SERIES 2006-WMC2

c/o JEFFREY H. K. SIA

c/o DIANE W. WONG

c/o DAVID A. GRUEBNER

Ayabe Chong Nishimoto Sia & Nakamura LLLP

Pauahi Tower

1003 Bishop St., Ste 2500

Honolulu, HI 96813-4216

Executed on: 3 / 4 / 2013



(signed by person mailing)

PLAINTIFFS' VERIFIED MOTION TO FILE OUT OF TIME REPLY TO [78]